

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION, *et al.*,

Defendants.

Case No. 25 Civ. 2990 (ER)

DECLARATION OF RUTH E. RYDER

I, Ruth E. Ryder, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and accurate to the best of my information and belief:

1. I am the Deputy Assistant Secretary for Policy and Programs within the Office of Elementary and Secondary Education at the United States Department of Education (the “Department”). I have held this position since April 2019, and I am generally familiar with the issues raised by this litigation.

2. In this role, my responsibilities since March 2025 include leading Department teams that oversee the implementation of the liquidation extensions of the Department’s emergency Education Stabilization Fund (“ESF”) COVID-19 relief programs. Specifically, since late March 2025, my staff processes expenditure requests by States to liquidate grant funds under the Elementary and Secondary Education Relief Fund (“ESSER”), Emergency Assistance to Non-Public Schools (“EANS”), and American Rescue Plan Homeless Children and Youth (“ARP-HCY”) programs.

3. The table attached as Exhibit A to this declaration is, to my knowledge, a true and correct copy of a Department report, as of 12:00 P.M. E.T. on June 30, 2025, listing for each

Plaintiff the payment requests for liquidation of ESF that are outstanding, including the amount of each request, the date each request was submitted, and the anticipated date by which each request will be processed.

4. The table attached as Exhibit B to this declaration is, to my knowledge, a true and correct copy of a Department report, as of 12:00 P.M. E.T. on June 30, 2025, of expenditure requests by States to liquidate grant funds of ESF that have been processed by Department staff subsequent to March 28, 2025.

Executed on this 2nd day of July 2025.
